

AMENDED IN ASSEMBLY APRIL 6, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 876

Introduced by Assembly Member McCarty

February 26, 2015

An act to ~~add~~ *amend* Section ~~40512 to 41701~~ of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL’S DIGEST

AB 876, as amended, McCarty. Compostable organics.

The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program. Existing law requires each city, county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan. *Existing law requires each county to prepare a countywide siting element that provides, among other things, for an estimate of the total transformation or disposal capacity that will be needed for a 15-year period to safely handle solid wastes generated with the county that cannot be reduced, recycled, or composted, and to identify areas for the location of new or expanded solid waste transformation or disposal facilities, if needed or desired.*

~~The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990, to be achieved by 2020, and to adopt rules and regulations~~

~~to achieve the maximum technologically feasible, and cost-effective greenhouse gas emissions reductions.~~

~~This bill would require the Department of Resources Recycling and Recovery, in coordination with the State Air Resources Board, to promote the use of compostable organics for critically needed alternatives to agricultural amendments and for low-carbon fuel manufacturing to reduce fugitive methane emissions associated with landfill and other waste operations. each countywide siting element to provide an estimate of the total organics processing capacity that will be needed over a 15-year period to safely handle organic wastes generated with the county and to identify areas for the location of organics processing facilities, if needed or desired, thereby imposing a state-mandated local program. The bill would also make legislative findings and declarations.~~

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. *The Legislature finds and declares all of the*
- 2 *following:*
- 3 (a) *With the enactment of the California Integrated Waste*
- 4 *Management Act of 1989 (Division 30 (commencing with Section*
- 5 *40000) of the Public Resources Code), the Legislature required*
- 6 *the Department of Resources Recycling and Recovery and local*
- 7 *agencies to promote recycling, anaerobic digestion, and*
- 8 *composting over land disposal and transformation.*
- 9 (b) *Since the enactment of the act, local governments and private*
- 10 *industries have worked jointly to create an extensive material*
- 11 *collection infrastructure and have implemented effective programs*
- 12 *to achieve a statewide diversion rate of greater than 50 percent.*

1 (c) *Although California now leads the nation in waste reduction*
2 *and recycling, the state continues to dispose of more than 15*
3 *million tons of compostable organics each year in solid waste*
4 *landfills.*

5 (d) *To reduce the landfilling of organics, increase composting*
6 *and anaerobic digestion, and meet the state's organic diversion*
7 *goals, cities and counties must plan for organics processing*
8 *facilities that can process organics diverted from landfills and*
9 *organics waste generators.*

10 SEC. 2. *Section 41701 of the Public Resources Code is*
11 *amended to read:*

12 41701. Each countywide siting element and revision thereto
13 shall include, but is not limited to, all of the following:

14 (a) A statement of goals and policies for the environmentally
15 safe transformation or disposal of solid waste that cannot be
16 reduced, recycled, or composted.

17 (b) An estimate of the total transformation or disposal capacity
18 in cubic yards that will be needed for a 15-year period to safely
19 handle solid wastes generated with the county that cannot be
20 reduced, recycled, or composted.

21 (c) *An estimate of the total organics processing capacity in*
22 *cubic yards that will be needed for a 15-year period to safely*
23 *handle organic wastes generated with the county.*

24 ~~(e)~~

25 (d) The remaining combined capacity of existing solid waste
26 transformation or disposal facilities existing at the time of the
27 preparation of the siting element, or revision thereto, in cubic yards
28 and years.

29 ~~(d)~~

30 (e) The identification of an area or areas for the location of new
31 solid waste transformation or disposal facilities, *or new organics*
32 *processing facilities*, or the expansion of existing *solid waste or*
33 *organics* facilities, that are consistent with the applicable city or
34 county general plan, if the county determines that existing capacity
35 will be exhausted within 15 years or additional capacity is desired.

36 ~~(e)~~

37 (f) For countywide elements submitted or revised on or after
38 January 1, 2003, a description of the actions taken by the city or
39 county to solicit public participation by the affected communities,
40 including, but not limited to, minority and low-income populations.

1 *SEC. 3. If the Commission on State Mandates determines that*
2 *this act contains costs mandated by the state, reimbursement to*
3 *local agencies and school districts for those costs shall be made*
4 *pursuant to Part 7 (commencing with Section 17500) of Division*
5 *4 of Title 2 of the Government Code.*

6 ~~SECTION 1. Section 40512 is added to the Public Resources~~
7 ~~Code, to read:~~

8 ~~40512. The department, in coordination with the State Air~~
9 ~~Resources Board, shall promote the use of compostable organics~~
10 ~~for critically needed alternatives to agricultural amendments and~~
11 ~~for low-carbon fuel manufacturing to reduce fugitive methane~~
12 ~~emissions associated with landfill and other waste operations.~~